

		
		Page 1 of 1
SUBJECT:	Obtaining Legal Advice on Conflict of Interest Matters by Council	
PREPARED BY:	Tom Zworski, City Solicitor	
AUTHORIZED BY:	Council	
EFFECTIVE DATE:	REVISION DATE:	
REVIEW FREQUENCY: N/A		

A. PURPOSE

The purpose of this policy is to establish equitable rules for partial reimbursement of legal costs incurred by Council members in obtaining legal advice on questions of potential conflict of interest in relation to matters arising at Council.

B. OBJECTIVES

Recognizing the evolving and complex nature of rules regarding conflict of interest and the importance to the City of ensuring that, whenever possible, all Council members should participate in Council deliberations and decisions, the City shall contribute to the cost of obtaining independent legal advice on conflict issues by members of Council.

C. PROCEDURE

1. A Council member who is concerned that a matter before Council may give rise to a conflict of interest shall contact the City Clerk or the City Solicitor to determine whether the City has previously obtained legal advice that applies to the situation.
2. If a Council member feels that he or she needs to obtain independent legal advice regarding a potential conflict of interest, the Council member will contact a lawyer of his or her choice and seek the advice.
3. The City shall reimburse the Council member for the cost of obtaining independent legal advice up to a maximum of \$500.00 for each instance when conflict advice is sought. The City will treat this payment according to Canada Revenue Agency taxable benefit rules.
4. To obtain the reimbursement, the Council member must provide a copy of the legal bill or invoice to the City.
5. A Council member receiving reimbursement is under no obligation to disclose the content of the legal opinion to the City.
6. There is not limit on the number of times a Council member may seek legal advice during the term of Council.
7. This policy applies solely to conflict of interest issues arising at Council and does not apply to potential issues arising in other roles of Council members such as their role at the CRD Board.